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Message of the President of the United States, communicating a copy of the proceedings of the council of Indian tribes held at Ocmulgee, in December, 1870.

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MESSAGE
OF THE
PRESIDENT OF THE UNITED STATES,

COMMUNICATING

A copy of the proceedings of the council of Indian tribes held at Ocmulgee, in December, 1870.

JANUARY 30, 1871.—Referred to the Committee on Indian Affairs and ordered to be printed.

To the Senate and House of Representatives :

I transmit herewith an official copy of the proceedings of the council of Indian tribes held at Ocmulgee, in December last, which resulted in the adoption of a declaration of rights and a constitution for their government, together with a copy of the report of the Commissioner of Indian Affairs, and the views of the Secretary of the Interior thereon.

It would seem highly desirable that the civilized Indians of the country should be encouraged in establishing for themselves forms of territorial government compatible with the Constitution of the United States and with the previous custom toward communities lying outside of State limits.

I concur in the views expressed by the Secretary of the Interior, that it would not be advisable to receive the new territory with the constitution precisely as it is now framed.

So long as a territorial form of government is preserved, Congress should hold the power of approving or disapproving of all legislative action of the Territory; and the Executive should, with "the advice and consent of the Senate," have the power to appoint the governor and judicial officers (and possibly some others) of the Territory.

This is the first indication of the aborigines desiring to adopt our form of government, and it is highly desirable that they become self-sustaining, self-relying, Christianized, and civilized. If successful in this their first attempt at territorial government, we may hope for a gradual concentration of other Indians in the new Territory. I therefore recommend as close an adherence to their wishes as is consistent with safety.

It might be well to limit the appointment of all territorial officials appointed by the Executive to native citizens of the Territory. If any exception is made to this rule, I would recommend that it should be limited to the judiciary.

It is confidently hoped that the policy now being pursued toward the Indian will fit him for self-government, and make him desire to settle among people of his own race, where he can enjoy the full privileges of civil and enlightened government.

U. S. GRANT.

EXECUTIVE MANSION, January 30, 1871.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 25, 1871.

SIR: I have the honor to transmit herewith the following papers:

Copy of a letter from the Commissioner of Indian Affairs, Honorable E. S. Parker, of this date, transmitting an official copy of the proceedings of the council held at Ocmulgee, in December last, which resulted in the adoption of a declaration of rights, and a constitution of government, by which certain tribes and bands of Indians have confederated for the purpose of civilization and education.

I also inclose a copy of a letter from the Commissioner of Indian Affairs, dated the 4th instant, containing his report of the proceedings of the council while in session and during his presence and attendance thereupon. This assemblage was held under acts of Congress authorizing the establishment of a "general council" in the Indian country; and before it was convened I regarded its probable proceedings of such importance as to require the Commissioner of Indian Affairs to be present, in order to give such aid and advice as the Department might afford in properly directing its deliberations.

The report of General Parker is highly interesting in its account of the agricultural and educational condition of the tribes in the Indian country. The constitution, declaration of rights, and entire proceedings of the council evince great wisdom and judgment, and I trust they will lead to the organization of a government originated by the Indians themselves, and in which they feel a deep interest, which in its results will greatly aid in the work of civilization and education.

If Congress shall conclude to take the proceedings of this council as the basis for civil government among the Indians, reserving the right of disapproving of all acts of legislation, and placing the appointments to office under the Constitution in the hands of the President and Senate of the United States, I shall hope for the happiest consequences from this experiment.

In the event that this course is adopted, the Indians will feel that their government is, to some extent, a work of their own creation, and they will, I have no doubt, acquiesce in all needful and proper alterations of their constitution; but I am compelled to express the hope that no change in that instrument will be made which will require or permit any non-resident to fill any office in the government, unless it be one of high judicial character.

I am also convinced that, for the present, there should be no change in existing laws regulating the settlement and occupancy of said Territory, hoping and believing that this course will lead rapidly to the establishment of most, if not all, the Indian tribes within this Territory.

I have the honor respectfully to suggest that the proceedings of this council be transmitted to Congress as early as practicable, with such recommendations and suggestions as in your judgment may seem necessary.

With high respect, your obedient servant,

C. DELANO, *Secretary.*

To the PRESIDENT.

P. S.—Since writing the foregoing I have received, through Vincent Colyer, esq., secretary of the honorable board of Indian Commissioners, the following report, which, with his permission, I forward with this communication. The views of the commission are so much in accord with my own on the subject that I deem it proper to submit them for your consideration.

C. DELANO.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 4, 1871.

SIR: In obedience to your instructions [dated December 2, 1870, I proceeded to the capital of the Creek Nation, in the Indian Territory, to attend the session of the general council of Indian nations and tribes resident in said Territory, convened in pursuance of treaties made in 1866 between the United States and the Cherokee, Creek, Seminole, Choctaw, and Chickasaw Nations of Indians, and the act of Congress approved July 15, 1870. I reached Ocmulgee, the place where the council was held, on the 12th of December. On the 13th I met the council. There were present Messrs. Robert Campbell, J. V. Farwell, and J. D. Lang, of the Board of Indian Commissioners; Superintendent Hoag, presiding officer of the council, and fifty-six Indian delegates, representing the Cherokee, Creek, Seminole, Choctaw, Chickasaw, Great and Little Osage, Ottawa, Eastern Shawnee, Quapaw, Seneca, Wyandott, Confederated Peoria, Sac, and Fox, and the absentee Shawnee Nations or tribes of Indians, all residing in said Territory, and numbering altogether about 60,000 souls. The only tribes of said Territory not represented (and this was said to be owing to their not having had sufficient notice, and the great distance they are from the council ground) were the Wichitas and other affiliated bands, the Kiowas and Comanches, and the Cheyennes and Arapahoes.

Being duly introduced to the council by the presiding officer, I was invited to address them, which I did briefly, stating to them that their assemblage was the most important council ever held among the Indian tribes of the country. They had met, by the authority of the Congress of the United States, who had given them this opportunity to organize a territorial or confederate government of their own. The councils of the Territory would be composed of Indian legislators, and they would hold the power of regulating the affairs of the Territory in their own hands. The government was desirous that this council should succeed. Members of the Special Indian Commission were present with them, to encourage and give advice and direction to their proceedings, should it be found necessary. So much interest did the authorities at Washington feel in the success of this council, that they seemed not content with having the special commission, alone, represent them; and the Secretary of the Interior had directed me, also, to come and see their condition, as well as to hear their wishes; and also, if necessary, to give them such counsel and advice as I could.

I suggested that, should this council organize a proper form of government, Congress might approve it, and thus would end the fear which now troubled them so much, of having a territorial government forced upon them.

As an organized confederation, they would have much more weight in Indian affairs than as individual tribes. Their articles of confederation should be short, simple, and direct; and their legislation should be confined to such matters as were granted them in the several treaties of 1866, made with the five principal nations of the Territory. They could, if they thought proper, ask Congress to establish a Federal court for them in the Territory, for the better administration of justice among themselves. They could, also, ask Congress to adopt so much of the report of the Peace Commission of 1867 as selects, defines, and locates a district of country in the South as a permanent home for the Indians, thereby securing a legalization of their country as the Indian Territory.

They were told that they need have no fear but that Congress would

annually provide for the per diem pay of the delegates to compose their council, as well as the pay of the judges, marshals, and clerks of the courts. Senator Harlan had already introduced a bill in the Senate of the United States, authorizing the Indian Council to elect a delegate to represent the Indian Territory in Congress, who could speak for them and be able at all times to properly represent their wants and wishes there. A realization of such a result would give the Indians much additional weight and importance. The President and Secretary of the Interior were friends to the Indians, and they had many sincere and true friends in Congress, and all hoped for and wished them every success in their deliberations at this time.

Finally, I advised them to lay aside all local and trivial prejudices and endeavor to harmonize and confederate for the common good, not only of tribes already within the Territory but of such as might hereafter come in.

Several delegates responded, expressing gratitude for the suggestions made to them; they appreciated highly the interest manifested in their behalf by the Government; they felt gratified for the presence of the Special Indian Commission among them; for the words of encouragement they had given them, evidencing the kindly sympathy the good people of the country entertained for them. They said that up to that morning their minds had been depressed, as they had been left in the dark as to how far they could go in the organization of an Indian government, but the remarks of the Commissioner of Indian Affairs had made everything clear, and they felt now that they could safely proceed in their work. They thanked the President and Secretary of the Interior for not forgetting the Indians in the multiplicity of the duties devolving on them.

It was very apparent to any observer that the entire council were actuated by an earnest desire to effect an organization which should afford ample and equal protection to all the inhabitants of the Territory, and which should also work to advance and elevate them in all the arts and habits pertaining to a healthy civilized condition.

The several delegations seemed fully impressed with the importance of the work they had met to accomplish, and their proceedings were characterized by a calm, earnest, and dignified deliberation.

On the evening of the 16th the committee to whom was assigned the duty of drafting a constitution, made a report, submitting the result of their labors. A copy of the constitution as reported is herewith submitted. It proceeds, after declaring that the Indians of the Indian Territory had met to frame laws and arrange the machinery of a government for the country occupied and owned by them, and to draw themselves into a closer bond of union for the better protection of their rights and for their improvement, to define the boundaries of the Indian Territory, and then distributes the powers of the government for said Territory into three branches, viz, the executive, legislative, and judicial. Accompanying the constitution the committee also submitted a declaration of rights, a copy of which is also herewith submitted. This constitution was not adopted during my stay, but a telegram has been received from Superintendent Hoag, informing me that it was adopted on the 20th, with only three dissenting votes.

It is proper to remark that while the committee were at work, Superintendent Hoag and myself were consulted freely by them, and while successful in some of our suggestions, in others we were not, and the work entire may justly be considered and deemed the creation of the Indians alone; and therefore, without discussing its merits and de-

merits, I would respectfully recommend that it be laid before the President, with a view to its submission to Congress for such action by that body as they, in their wisdom, may deem proper. But I would earnestly bespeak for this work of the Indians an indulgent consideration. It is the authentic expression of the Indians as to the kind of government they feel themselves willing and competent to undertake. They aim to do right; their effort is in the proper direction, and is certainly worthy of support and commendation.

It should also be remembered that the Indians are a peculiar people; that from time immemorial their form of government has been based upon a community of interests, and they have not yet been educated to recognize fully the value of individual and exclusive rights in property. Their public men are zealous in guarding every right their people are accustomed to, and time alone can bring them to a just appreciation of the value of personal or individual rights.

I sincerely trust that their efforts may receive substantial encouragement.

Among the interesting matters which engaged the attention of the council were the subjects of agriculture and education among the tribes of the Territory. The result of discussions upon such subjects tends to develop a spirit of emulation among the Indians, and cannot but be beneficial. I was able at the time to obtain only a copy of the agricultural report, a very interesting paper, a copy of which is herewith submitted for your perusal. The educational report showed the Choctaws to have forty-eight district schools, with an attendance of fourteen hundred and sixty pupils. They also support twenty youths, male and female, at the higher schools in the States. Their population is between sixteen and seventeen thousand.

The Cherokees have forty-eight public schools, three of them exclusively for freedmen. The number of pupils attending is nineteen hundred and twenty-eight. About three-fourths of the teachers are natives. Their orphans are boarded and clothed at the expense of the nation. They have, besides, one Moravian mission school and a few private schools. Their population is estimated at seventeen thousand.

The Creeks have twenty-two public schools, and are about to start nine more. Six of the schools are devoted exclusively to the freedmen. The average number of pupils attending is seven hundred. They have also a boarding school with eighty pupils, and expect to start another one in the spring. Their population, including freedmen, is thirteen thousand.

The Seminoles have four schools, with two hundred and twenty-five pupils. They have in process of construction a mission building which will accommodate fifty pupils. Their population is about twenty-five hundred.

The Chickasaws have eleven district schools, with four hundred and forty pupils, and they maintain sixty pupils in the States at the national expense. The other tribes do not show such advancement, as they have but recently entered the Territory; but all are anxious for more schools.

This report is necessarily meager, as I arrived after the organization of the council and departed before its adjournment. Superintendent Hoag will, however, transmit a full and correct transcript of all the proceedings, the receipt of which may now be expected at any moment. The council also passed a resolution extending an invitation to the wild tribes of the plains, part of whom are located within the limits of the Indian Territory, to meet with them at their next general council, and urging them to maintain peaceful relations with the people

of the United States. The influence which this organization, when perfected, will exert upon all the Indians of the United States must necessarily be of the most wholesome character.

At the request of a majority of the delegates George W. Grayson was commissioned secretary of the council.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. COLUMBUS DELANO,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 25, 1871.

SIR: I have the honor to inclose herewith a copy of the proceedings of the council held at Ocmulgee in December last, together with copy of the constitution adopted at said council.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

Hon. FELIX R. BRUNOT, *Chairman of Board of Indian Commissioners:*

Your committee, consisting of Robert Campbell, John D. Lang, and John V. Farwell, appointed to attend the grand council of the several tribes living in the Indian territory under provisions of acts of Congress, beg leave to report that they met the said council at Ocmulgee after the same had been in session several days. Delegates were in attendance from the following nations and tribes: Cherokees, Muskagees or Creeks, Choctaws, Chickasaws, Seminoles, Ottawas, Eastern Shawnees, Quapaws, Senecas, Wyandotts, Confederated Peorias, Sacs and Foxes, Great and Little Osages, and Absentee Shawnees. We found that the committee on the permanent organization of the territory into an Indian government, subject to the several treaties of the United States with the different tribes, had made a unanimous report in favor of the measure. It was our pleasure to listen to the discussions upon the report, which were conducted with dignity and ability, after which the report was adopted by a vote of 48 to 5. Your committee were impressed with the great importance of this council, as bearing upon the execution of the humane policy of the administration in conducting Indian affairs, uniting as it does the several civilized tribes as a unit, in coöperation with the Government, for the permanent settlement of the wild tribes, as well as for their own mutual advancement; and, knowing the tenacity with which the Indians hold to their tribal relations and treaty stipulations, they were fearful that the object of the council might not be attained without special effort on their part with the superintendent and others of the true friends of the Indians.

Your committee therefore cannot but express their belief that the hand of Providence has opened the eyes of these tribes to see this opportunity, just at the time that the Government and the public sentiment of the country are especially enlisted in their behalf, and that the meeting of this council is but the beginning of a new epoch in the history of the red man. After the adoption of the report alluded to, an able committee of twelve was appointed to draft a constitution, to conform to the treaties under which this council was called, the members of which are very much in earnest in the matter. In our visits to the various tribes of Indians the present season, we are happy to say that we have witnessed much to encourage us in the belief that the present policy of the President and Congress on behalf of the Indians of the United States is showing evidence of success. It inspires courage and confidence in the Indian, and, we trust, will give still greater encouragement, as time rolls on, by the continued fostering care of Congress, and the faithful performance of duties devolving upon its agents. We were gratified and deeply interested in a visit to the legislature of the

Cherokee Nation, convened at Talequah, consisting of a senate and lower house, a governor, or chief, and council. We were very kindly received in a joint session of both houses, and witnessed a display of talents, ability, intelligence, and dignity in the management of business becoming any legislative body of white men. At Ocmulgee we attended four sittings of the general council, and were equally impressed with the dignity and intelligence manifested by the delegates in attendance from the various tribes.

Your committee in their visit also witnessed fresh evidences of the improving condition and advancement toward a general civilization of the Indian tribes under the new peace policy of Congress. On the various important subjects claiming the attention of the council, grave deliberation, good order, candid expressions of sense and duty, with a high tone of intelligence prevailed. The general interest manifested for the schooling of their children is very encouraging. Although they have numerous schools in operation, still we learned they were desirous of increasing the number, and were in need of more schools in order to extend to all equal advantages in this respect. The country of the Indians is of superior quality, with an abundant supply of timber and excellent water, and is capable of sustaining a large number of the Indians now in the United States. Comparatively a small portion only of the lands in the Territory are at present improved, and there is a great deficiency in the roads, a lack of conveyances, of facilities for reaching market, and a neglect of general internal improvements.

Your committee are particularly pleased with the exertions made by the civilized tribes for the purpose of inducing the wild tribes of the plains to come in and adopt the habits of those who have preceded them in civilization. The project of inducing these wild tribes to come under the care of the civilized tribes through the instrumentality of the latter, in connection with white people, looks already very encouraging, and your committee can but hope that special attention will be directed to this subject. Its success will tend greatly to solve the Indian problem, and put an end to future Indian troubles on our extreme borders.

In our intercourse with the assemblies we endeavored to explain the earnest wish of our government to unite and encourage Indians in their efforts to congregate and adopt all the usages of civilization. In all our meetings we found kindly and courteous responses to our suggestions, and we trust that before many years elapse there will be a large aggregation of the wilder tribes on the ample territory now specially occupied by Cherokees, Choctaws, Chickasaws, Creeks, and other Indians, who have abandoned nomadic life, and are now happy and prosperous.

In conclusion, your committee express their belief that visits to the Indians and their councils by persons in authority will continue to meet with happy results, tending to renew a general confidence in this special friendly movement of the Government, and securing the coöperation of the friends of the Indians.

ROBERT CAMPBELL,

Chairman of Committee of Board of Indian Commission.

JOHN D. LANG.

JOHN V. FARWELL.

ST. LOUIS, December 23, 1870.

Schedule to the Constitution.

In order to organize the government of the Indian Territory, and secure practical operation for the same, it is hereby ordained, and the provisions of this schedule shall be of the same binding force as the constitution of which it is a part, that it shall be the duty of the secretary of this general council to transmit a duly-authenticated copy of this constitution to the executive authority of each nation represented in the general council, and to ask the acceptance and ratification of the same by the council or people of the respective nations. Upon receiving from such authority notification of its acceptance and ratification by national councils representing two-thirds of the population of the nations represented in the general council, it shall be his duty to promulgate such fact, and to call a session of the general council from the nations ratifying this constitution at such place as the present session may designate for its next meeting. It shall be the duty of the general council, when so assembled, to adopt such measures as may be necessary to secure the election of a governor and members of the general assembly, and to fix the time of the first meeting of the said assembly, whose duty it shall be to perfect the organization of the government of the Indian Territory under the provisions of the foregoing constitution: *Provided*, That this constitution shall be obligatory and binding only upon such nations and tribes as may hereafter duly approve and adopt the same.

G. W. GRAYSON, *Secretary.*

Your committee, to whom was referred the resolution in regard to the various tribes of the Plains, respectively state that they have carefully considered said subject, and beg leave to submit the following resolution, and recommend that it be adopted by general council.

ALLEN ROSS, *Chairman*.

A.

RESOLUTION in regard to the tribes of the Plains.

Resolved by the general council of the Indian Territory, That the Superintendent of Indian Affairs be, and he is hereby, requested to convey, through their respective agents or otherwise, to the Comanches, Kiowas, Cheyennes, Arapahoes, and other tribes of the Plains, the fact that the Choctaws, Chickasaws, Cherokees, Muskokees, Seminoles, Osages, Senecas, Shawnees, Ottawas, Peorias, Wyandotts, Quapaws, and Sac and Foxes have met in general council and confederated; that the object of this confederation is to preserve peace and friendship among themselves, with all other red men, and with the people of the United States; to promote the general welfare of all Indians, and to establish friendly relations with them; to secure our lands exclusively to ourselves, and to transmit them to our children after us; that the nations above named extend to them the hand of friendship; that they earnestly recommend them to refrain from acts of hostility among themselves and with the people of the United States, and that we offer them our aid and council in establishing permanently friendly relations with the Government of the same, and will meet them in council whenever practicable and desired by the Superintendent of Indian Affairs.

Constitution of the Indian Territory.

Whereas the people of the nations of Indians inhabiting the Indian Territory have agreed by treaty with the Government of the United States, and been by its agents invited to meet in general council under the forms prescribed by the treaties of 1866, and the action thereon of the Government of the United States, having thus met to frame the laws and arrange the machinery of a government for the country occupied and owned by them, in order to draw themselves together in a closer bond of union, for the better protection of their rights, the improvement of themselves and the preservation of their race, and relying on the guidance and favor of Almighty God to carry out in a consistent and practicable form the provisions of said treaties at the earliest practicable day, do hereby enact and promulgate the following as the constitution or organic law of the said Indian Territory:

ARTICLE I.

SECTION 1. All that portion of country bounded on the east by the States of Arkansas and Missouri, on the north by the State of Kansas, on the west by the Territory of New Mexico and the State of Texas, which has been set apart and guaranteed by the treaties and laws of the United States as a permanent home for the Indians therein lawfully resident, or such as may be in like manner settled therein hereafter, for the purposes of this constitution, shall be known and styled as the "Indian Territory."

SEC. 2. Each of the nations of Indians, who by themselves or through their representatives may enter this confederacy, do agree that the citizens of each and every one of said nations shall have the same rights of transit, commerce, trade, or exchange in any of said nations as he has in his own, subject only to consistency with existing treaty stipulations with the United States and the laws regulating trade and intercourse, and under such judicial regulations as are hereinafter provided. But no right of property, or lands, or funds owned by any one nation shall be in any manner invaded by citizens of another nation; and it is hereby distinctly affirmed that the rights of each of these nations to its lands, funds, and all other property shall remain the sole and distinct property of such nation.

Any Indian nation now represented in this general council, or which may hereafter enter in a legal manner or be now in said Indian Territory, may be admitted to representation, and all the privileges of this joint government, by accepting and agreeing through their proper authorities to the provisions of this constitution.

ARTICLE II.

SECTION 1. The powers of this government shall be divided into three distinct departments, to be called the legislative, the executive, and the judicial departments of the Indian Territory.

SEC. 2. No person belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in cases hereinafter expressly directed or permitted.

ARTICLE III.

SECTION 1. The legislative power shall be vested in a general assembly, which shall consist of a senate and house of representatives, and the style of their acts shall be, "Be it enacted," or, "Be it resolved by the general assembly of the Indian Territory."

SEC. 2. The senate shall consist of a member from each nation whose population is two thousand citizens, and one member for every additional two thousand citizens or fraction greater than one thousand: *Provided*, Nations with populations less than two thousand may unite and be represented in the same ratio: and *Provided further*, That the Ottawas, Peorias, and Quapaws shall be entitled to one senator, and the Senecas, Wyandotts and Shawnees to one senator, and the Sac and Foxes to one senator.

SEC. 3. No person shall be eligible to a seat in the general assembly but a *bona fide* citizen of the nation which he represents, and who shall have attained to the age of twenty-five years.

SEC. 4. The house of representatives shall consist of one member for each nation, and an additional member for each one thousand citizens or fraction thereof greater than five hundred.

SEC. 5. The members of the senate and house of representatives shall be elected by the qualified voters of their respective nations, according to their laws or customs, and shall hold their office for the term of two years. Vacancies that may occur shall be filled in like manner.

SEC. 6. The senate when assembled shall choose a president and its other officers, and the house of representatives a speaker and its other officers; and each shall judge of the qualifications and returns of its own members. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may provide.

SEC. 7. Each branch of the general assembly shall keep a journal, and determine the rules of its proceedings, punish a member for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same offense.

SEC. 8. The general assembly shall have power to legislate upon all subjects and matters pertaining to the intercourse and relations of the nations of the Indian Territory, the arrest and extradition of criminals escaping from one nation to another; the administration of justice between members of the several nations of the said Territory, and persons other than Indians and members of said nations; and the common defense and safety of the nations of said Territory. But the said general assembly shall not legislate upon matters other than those above indicated. The general assembly shall meet annually on the first Monday in June, at such place as may be fixed upon at their first regular session.

SEC. 9. Members of the general assembly, and other officers, both executive and judicial, before they enter upon the duties of their respective offices, shall take the following oath or affirmation, to-wit: "I do solemnly swear (or affirm as the case may be) that I will support the constitution of the Indian Territory, and that I will faithfully and impartially discharge, to the best of my ability, the duties of the office of _____ according to law: So help me God."

SEC. 10. The members of the general assembly shall be paid four dollars per day while in actual attendance thereon, and four dollars mileage for every twenty miles, going and returning therefrom, on the most direct traveled route, to be certified by the presiding officer of each house: *Provided*, No member shall be allowed per diem compensation for more than thirty days at any annual session.

SEC. 11. Members of the general assembly shall in all cases, except of treason, felony, or breach of the peace, be privileged from arrest during the session of the general assembly, and in going to and returning from the same.

SEC. 12. No power of suspending the laws of this Territory shall be exercised unless by the general assembly or its authority. No retrospective law, nor any law impairing the obligation of contracts, shall be passed.

SEC. 13. Whenever the general assembly shall deem it necessary to provide means to support the government of the Indian Territory, it shall have the power to do so; but no revenue shall be raised not actually necessary and in accordance with law, uniform in its operations throughout the Territory.

SEC. 14. All bills making appropriations shall originate in the house of representatives, but the senate may propose amendments or reject the same. All other bills may originate in either branch, subject to the concurrence or rejection of the other.

SEC. 15. The house of representatives shall have the sole power of impeaching. All impeachments shall be tried by the senate. When sitting for that purpose, the senators shall be on oath or affirmation, and shall be presided over by the chief justice;

and no person shall be convicted without the concurrence of two-thirds of the members present.

SEC. 16. The governor and all civil officers shall be liable to impeachment for any misdemeanor in office, but judgment in such cases shall not extend further than removal from office and disqualification to hold any office of honor, trust, or profit under this government; but the party, whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, and punishment, according to law, as in other cases.

SEC. 17. The salaries of all officers created under this constitution, not otherwise provided, shall be regulated by law, but no increase or diminution shall be made in the same during the term for which said officers may have been elected or appointed.

ARTICLE IV.

SECTION 1. The executive power of this Territory shall be vested in a governor, who shall be styled the governor of the Indian Territory, and whose term of service shall be two years, and until his successor shall be elected and qualified. He shall be elected by the qualified electors of each nation on the first Wednesday in April, at the usual places of holding elections of the several nations. The returns of the election of governor shall be sealed up and directed to the secretary of the Territory, who shall open and publish them in the presence of the senate and house of representatives in joint session assembled. The person having the highest number of votes shall be declared governor by the president of the senate; but if two or more shall be equal and highest in votes, then one of them shall be chosen by the majority of votes by joint ballot of both houses of the general assembly.

SEC. 2. The manner of conducting and determining contested elections shall be directed by law.

SEC. 3. No person shall be eligible to the office of governor who shall not have attained to the age of thirty years.

SEC. 4. Whenever the office of governor shall become vacant by death, resignation, removal from office, or otherwise, the president of the senate shall exercise the office, until another governor shall be duly qualified. In case of the death, resignation, removal from office, or other disqualification of the president of the senate so exercising the office of governor, the speaker of the house of representatives shall fill the office until the president of the senate shall have been chosen and qualified to act as governor.

SEC. 5. The governor shall receive at stated times for his services a compensation to be fixed by law which shall be neither increased nor diminished during the period for which he shall have been elected, nor shall he receive within that period other emolument from the Indian Territory.

SEC. 6. The governor shall from time to time give to the general assembly information in writing of the state of the Territory, and recommend to its consideration such measures as he may deem expedient, and shall take care that the laws be faithfully executed.

SEC. 7. The governor on extraordinary occasions may by proclamation convene the general assembly at the seat of government, to legislate upon such matters only as he may recommend.

SEC. 8. When vacancies occur in offices, the appointment of which is vested in the governor by and with the consent of the senate, he shall have power to fill such vacancies by commission, which shall expire at the end of the next session of the general assembly.

SEC. 9. The governor may grant pardons and respites and remit fines for offenses against the laws of this Territory, and shall commission all officers who shall be appointed or elected to office under the laws of the Territory.

SEC. 10. Every bill which shall have passed both houses of the general assembly shall be presented to the governor; if he approve, he shall sign it; if not, he shall return it with his objections to the house in which it may have originated, which shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent with the objections to the other house, by which it shall likewise be reconsidered: if approved by two-thirds of the members present of that house, it shall become a law; but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within five days (Sundays excepted) after it shall have been presented to him, the same shall become a law in like manner as if he had signed it, unless the general assembly by their adjournment prevent its return, in which case it shall be a law unless sent back within three days after their next meeting.

SEC. 11. There shall be a secretary of said Territory, who shall be appointed by the governor, with the advice and consent of the senate, and who shall hold his office for two years, and whose duties shall be prescribed by law. He shall also act as treasurer

of the Territory until otherwise provided. Before entering upon his duties as treasurer, he shall give bond with such sureties as may be required by law. No money shall be drawn from the treasury but by warrant from the governor, and in consequence of appropriations made by law. There shall also be appointed, in like manner, one marshal, who shall have power to appoint such deputies as may be authorized. There shall likewise be appointed one attorney general and two district attorneys, whose duties and term of office shall be defined by law.

SEC. 12. All commissions shall be in the name and by the authority of the Indian Territory, and be sealed with the seal and signed by the governor, and attested by the secretary of the Territory.

ARTICLE V.

SECTION 1. The judicial department of the Indian Territory shall be vested in a supreme court, three district courts, and such inferior courts as may be provided by law; but their jurisdiction shall not interfere with the civil and criminal jurisdiction retained to each separate nation by the treaties of 1866.

SEC. 2. The supreme court shall be composed of the three judges who shall be appointed by the governor, with the approval of the senate, as district judges. Two of said judges shall form a quorum of the supreme court for the transaction of business. Their term of office shall be six years, provided that the office of one of said judges shall be vacated in two years, of one in four years, and of one in six years, so that at the expiration of each two years one of said judges shall be appointed, as aforesaid. The judge appointed for six years shall be the first chief justice of the supreme court, and upon the expiration of his term the senior judge in office shall be thereafter the chief justice.

SEC. 3. The supreme court shall meet at the capital, commencing on the first Mondays in June and December in each year. The supreme court shall be a court of appellate jurisdiction from the district courts, and original jurisdiction in such cases as may be prescribed by law.

SEC. 4. The supreme and district judges shall have power to issue writs of *habeas corpus* and other process necessary to the exercise of their appellate or original jurisdiction.

SEC. 5. The district courts shall have original jurisdiction of all cases, civil and criminal, arising from trade or intercourse between the several nations, and all cases arising under the legislation of this government as may be prescribed by law.

SEC. 6. Writs of error, bills of exceptions, and appeals, may be allowed from the final decisions of the district courts in such cases as shall be prescribed by law.

SEC. 7. It shall be the duty of the general assembly to divide the Indian Territory into three districts, which shall be as nearly equal in territory and population as may be practicable, assign one of the three judges to each district, and provide for the holding of terms of the district court in each, at such times and places as may be deemed expedient.

SEC. 8. No person shall be appointed a judge of any of the courts until he shall have attained to the age of thirty years, and be a person of good character and suitable qualifications.

SEC. 9. No judge shall sit on a trial of any cause in which he may be interested, or in which he is connected to either of the parties, by affinity or consanguinity, except by consent of the parties; and in case of disqualification of any judge the vacancy shall be filled as may be prescribed by law.

SEC. 10. All writs and other process shall run in the name of the Indian Territory, and bear test and be signed by the clerk issuing the same.

SEC. 11. Indictments shall conclude "against the peace and dignity of the Indian Territory."

SEC. 12. Each court shall appoint its own clerk, whose duty and compensation shall be fixed by law.

ARTICLE VI.

The general assembly may propose such amendments to this constitution as three-fourths of each branch may deem expedient; and the governor shall issue a proclamation directing all civil officers of the Territory to promulgate the same as extensively as possible within their respective districts, at least six months previous to the annual sessions of the national councils of the nations parties hereto; and if three-fourths of such national councils at such next annual sessions shall ratify such proposed amendment, they shall be valid to all intents and purposes as part of this constitution.

Declaration of Rights.

That the general, great, and essential principles of liberty and free government may be recognized and established, we declare—

SECTION 1. That all political power is inherent in the people, and all free govern-

ments are founded on their authority and instituted for their benefit. And they shall have at all times the inalienable right to alter, reform, or abolish their form of government as may be lawfully provided for.

SEC. 2. The free exercise of religious worship and serving God without distinction of creed shall forever be enjoyed within the limits of this Territory: *Provided*, That the liberty of conscience shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace, safety, and good morals of this Territory.

SEC. 3. No religious test shall ever be required as a qualification to any office of public trust in this Territory.

SEC. 4. Every citizen shall be at liberty to speak, write, or publish his opinions on any subject, being responsible for the abuse of this privilege; and no law shall ever be passed curtailing the liberty of speech or of the press.

SEC. 5. The people shall be secure in their persons, houses, papers, and possessions from all unreasonable searches, seizures, and intrusions; and no warrant to search any place or to seize any person or thing shall be issued without describing them as nearly as may be, nor without good cause supported by oath or affirmation.

SEC. 6. In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury of the district wherein the crime shall have been committed; the right of demanding the nature and cause of the accusation, of having the witnesses to testify in his presence, of having compulsory process to procure witnesses in his favor, of having the right to be heard by himself and counsel, of not being compelled to testify against himself, nor to be held to answer to any criminal charge but on information or indictment by a grand jury.

SEC. 7. All prisoners shall be bailable before conviction by sufficient surety, except for a capital offense, where the proof is evident or the presumption great.

SEC. 8. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted, and all courts shall be open, and every person for an injury done him in his person, reputation, or property, shall have remedy as the law directs.

SEC. 9. No person for the same offense shall be twice put in jeopardy of life or limb, and the right of trial by jury shall remain inviolate.

SEC. 10. No person shall be imprisoned for debt.

SEC. 11. The citizens shall have the right in a peaceable manner to assemble for their common good, to instruct their representatives, and to apply to those invested with the powers of government for redress of grievances or other purposes by petition, address, or remonstrance.

SEC. 12. The privilege of the writ of habeas corpus shall not be suspended unless the public safety should require it.

SEC. 13. All powers not herein expressly granted by the nations parties to this constitution are reserved by them respectively, according to the provisions of their several treaties with the United States.

OCMULGEE, MUSKOGEE NATION,

December 17, 1870.

Your committee to whom was referred, by resolution of the general council of September 30, 1870, the subject of the populations and educational interests of the several nations represented in the general council, report as follows:

The committee have no means of ascertaining the exact population of the several nations, and therefore are compelled to give it approximately from the information they have been able to obtain; and in their opinion it will exceed the figures given below.

The advancement in education has been seriously retarded by the late war. It closed, during its continuance, all the schools, and having destroyed nearly all the property of the country, the first efforts of the people, after its close, were directed to rebuilding and gaining a subsistence. In consequence a large number of the youth have grown up without the advantages of education. In this respect its injurious effects will be long felt. Your committee, however, are happy to state that the nations are now giving this important subject their earnest attention, as will be seen from the following:

THE CHOCTAWS.

Since the close of the late war, the Choctaws have been able to establish and maintain only neighborhood schools, but are supporting about twenty Choctaw youths, males and females, attending schools in the States. An act of the Choctaw council in 1870 authorizes the reopening of two boarding-schools, one for males and one for females. The amount annually expended in supporting these schools is about \$33,000. There are three schools in each county, making forty-eight in the nation. The teach-

ers are allowed \$2 per month for each pupil in attendance. The number of pupils attending school is 1,460. The population of the Choctaw Nation is between sixteen and seventeen thousand.

CHEROKEES.

The population of the Cherokee Nation, at the present time, cannot be accurately reported. The national council during its session last year passed a law by which a large number of those recently arrived from North Carolina and other States are required to substantiate their rights before the supreme court now in session for that purpose, previous to their enrollment as *bona fide* citizens. The census of the Cherokee Nation, taken previous to November 1st of the present year, shows the population to be about seventeen thousand, including those cited before the supreme court, as stated above, as to whose rights there is no doubt.

The school and orphan funds consist of the interest accruing on moneys invested in State and United States stocks. For school fund \$596,140 75 and for orphan fund \$219,774, bearing interest at from 5 to 7 per cent.; interest, about forty three thousand dollars. The Cherokees have in operation forty-eight district schools, three of which are for colored children, supported out of this fund, besides a few private schools in neighborhoods situated inconvenient to public schools. The public schools are under the supervision of a superintendent who is a native, and whose duties are defined by law. A large number—perhaps three-fourths—of the teachers are natives, and paid out of the school fund, four hundred dollars each per scholastic year of ten months. Total number of scholars attending school is one thousand nine hundred and twenty-eight. The orphans attending school are boarded and clothed out of the orphan fund, which is only applied to those who are indigent and destitute. There is also one mission school under the control of Moravian board. Previous to the war there was in successful operation two high schools, or seminaries, one male and one female. The buildings are now undergoing thorough repairs, for the purpose of putting them in operation again. Each will accommodate about one hundred students together with the necessary teachers and servants.

MUSKOCHEES.

The population of the Muskokee Nation is about thirteen thousand, inclusive of freedmen.

The Muskokees have now in successful operation twenty-two public schools, located in different parts of the country, and under the supervision of a superintendent of public instruction, who is a native. These schools are taught by one teacher each, with a salary of four hundred dollars for scholastic year of ten months. The last national council created nine additional schools, which are now being put in operation. In addition to these schools there is one boarding-school in successful operation, accommodating eighty pupils, and one building under way which will be completed by spring, and will accommodate as many. These boarding-schools are supported by the nation, except the salaries of the superintendents and necessary teachers, which are paid by the boards of the Methodist and Presbyterian denominations, under whose control they are. The course of instruction pursued in the public and boarding-schools is as follows: commencing with the alphabet and its combinations into syllables, and extending through the various elementary branches, as reading, spelling, writing, geography, grammar, and arithmetic. Six of the public schools are appropriated for the exclusive use of the freedmen of the Muskokee Nation.

Annual school fund from treaty stipulations	\$10,000
Annual school fund, contingent on the will of the President	1,000
Annual school fund from national appropriation	13,758
Total school fund expended	24,758

The average number of children in attendance at school at the close of the scholastic year ending June 30, 1870, was about seven hundred.

SEMINOLES.

The population of the Seminole Nation is about twenty-five hundred. By an act of the council there has been established four neighborhood schools, which are now in successful operation, taught by efficient teachers, who receive an annual salary of six hundred dollars each. The whole number of pupils in attendance at school is two hundred and twenty-five, the average daily attendance at each being about forty. In addition to the neighborhood schools, there is now in process of construction a mission building, superintended by the Rev. J. R. Ramsey, of the Presbyterian denomination. The building will soon be completed, and be sufficient to accommodate more than fifty pupils. By treaty stipulations the Seminoles have and use for the support of the neighborhood schools twenty-five hundred dollars, being the interest on fifty thousand dollars held in trust by the United States.

CHICKASAWS.

The population of the Chickasaw Nation is between five and six thousand. They have eleven neighborhood schools. The whole number of pupils in attendance is four hundred and forty. In addition to these, they have sixty pupils attending schools in the States, the expense being paid by the nation at the rates of three hundred and fifty dollars each.

Amount appropriated September last for support of neighborhood schools.... \$39,000
For supporting pupils in attendance at schools in the States..... 21,000

Total school fund..... 50,000

The teachers of the public schools are allowed out of the school fund three dollars per month for each pupil.

OSAGES.

The Osages have fifty children attending the Catholic mission school. The annual school fund is three thousand dollars; they have recently come into the Territory and are not yet fully settled. They are beginning life anew, and it is hoped with better prospects of advancement in education than they have heretofore enjoyed. Their population is between three and four thousand.

CONFEDERATED PEORIAS, ETC.

The last census of Confederated Peorias shows the population to be one hundred and seventy. They have one school located among them, having been in operation about two months. Number of children attending school is about twenty-five. The school fund is the interest on from thirty-five to forty thousand dollars invested fund.

OTTAWAS.

The Ottawas have a provision for education in their treaty of 1862, setting apart twenty thousand acres of their land for the support of schools, and one section for school buildings. This land is near the city of Ottawa, and is valuable. They number one hundred and seventy-five souls, and have a school in successful operation of fifty-two scholars.

Population of Shawnees 80
Population of Wyandotts 160
Population of Senecas 188

These tribes have no schools among them.

SACS AND FOXES.

The Sacs and Foxes number about seven hundred, and have a school fund stipulated by treaty amounting to five thousand dollars annually.

QUAPAWS.

The Quapaws number two hundred and thirty-six souls. No school fund reported.

Your committee are informed that measures are in progress for opening schools at an early day among the Quapaws, Senecas, Wyandotts, Osages, Sacs, and Foxes, and absentee Shawnees. The absentee Shawnees number about six hundred souls.

From the foregoing, your committee find the population of nations represented in the general council to be about sixty thousand. Number of schools one hundred and forty; pupils attending schools in the Territory and in the States, four thousand eight hundred. Amount of school fund expended annually in support of schools is about one hundred and sixty-three thousand dollars.

JAMES M. C. SMITH,
Chairman Committee on Education.

In conclusion, your committee would state that in their opinion nothing now so much retards the educational advancement of the people of the Territory as this want of confidence in the permanency of their political institutions, growing out of the constant agitation, in and out of Congress, of the question of extending over these nations a territorial form of government created by Congressional enactment. It is not necessary for your committee to state that the measure is utterly repugnant to every Indian in the Territory, but cheered by the words of hope from the representatives of the Government of the United States visiting us during the present session of the general council, and reposing full confidence in the distinguished head of that great nation, we are led to believe that a brighter day is dawning upon the Indian.

The government proposed by the general council to be established over the Indian

Territory, to be administered by Indians for themselves, is one founded upon and growing out of treaty relations with the United States, and depends for its perpetuity not upon armies and navies, but upon the honor and good faith of that government. It must be defended by the patriotism and intelligence of its sons

JAMES M. C. SMITH,
Chairman Committee on Education.

OCMULGEE, M. N., Tuesday, December 6, 1870.

General council of the Indian Territory assembled, pursuant to adjournment. Enoch Hoag, superintendent of Indian affairs, presiding. I. G. Vere, secretary *pro tempore*.

Delegates present:

Cherokee Nation—O. H. P. Brewer, S. M. Taylor, J. A. Scales, Stealer, Joseph Vann.
Muskokee Nation—George W. Stidham, J. R. Moore, G. N. Greyson, J. M. Perryman, Timothy Barnard.

Ottawa Nation—Francis King.

Confederated Peorias and other Nations—Edward Black.

Credentials presented, and the following delegates admitted to seats:

Choctaw Nation—Campbell Leflore, John McKinney, William Fry, Ma-ha-tubbe, Alexander R. Durant, James Thompson, Joseph P. Fulsom, Alfred Wright.

Chickasaw Nation—Joseph P. Fulsom, Alfred Wright, Charles P. H. Percy, Joseph James, Hopiah Tubbee.

A quorum not being present, on motion, council adjourned until 9 o'clock a. m. to-morrow.

WEDNESDAY, December 7—9 o'clock a. m.

Council met pursuant to adjournment.

The following delegates took their seats:

Muskokee Nation.—L. C. Perryman, S. W. Perryman, Ok-tar-har-sars-Harjo.

Cherokee Nation.—John Sarcoxie.

Great and Little Osages.—Augustus Captain.

Seminole Nation.—John F. Brown, Fus-hat-the-Harjo.

On motion, the following resolution was unanimously adopted:

Resolved by the general council of the Indian Territory, That the following delegates be added to the several committees: Alfred Wright, on relations with the United States; James Thompson, on judiciary; Campbell Leflore and G. P. Folsom, on international relations; John McKinney, on education and agriculture; and C. P. H. Percy, on finance.

A quorum not being present, council adjourned until 9 o'clock a. m. to-morrow.

THURSDAY, December 8—9 o'clock a. m.

Council met pursuant to adjournment.

George W. Walker was admitted to a seat as delegate from the Muskokee Nation.

A quorum being present, council proceeded to business.

On motion, the following persons were appointed by the president to interpret the proceedings of the general council to the members of the different nations who do not understand the English language:

For the Muskokee and Seminole Nations, David M. Hoge.

For the Choctaw and Chickasaw Nations, Joseph P. Folsom.

For the absentee Shawnees, Robert Deer.

The delegate from the Muskokee Nation, to whom was committed the message and invitation to the Comanches, Kiowa, Arapahoe, Cheyenne, Caddo, Wichita, and other tribes on the plains, reported the message and invitation had been transmitted through the interpreter for the absentee Shawnees, and that no response had as yet been received.

Credentials of members presented, and the following delegates admitted to seats:

Senecas.—George Spicer in place of James King.

Wyandotts.—George Wright in place of James Hicks.

The journal of the first session of the general council read and explained.

Mr. Percy, delegate from the Chickasaw Nation, submitted the following additional rule for the government of the council in the transaction and order of business, which was adopted.

RULE 10.—The general council, when a quorum is present, shall be the judge of the legal qualifications of its own members. For this purpose it shall have power to examine into the validity of the credentials of its members, determine the eligibility of contestants and claimants for seats; or, it may refer the same to a committee on creden-

tials. The committee on credentials shall have all the available power to cause persons or papers, or certified copies thereof, to be brought before it, and shall make a correct report of the investigations and conclusions to the general council for its final adjudication in all matters pertaining to the legal qualifications and eligibility of members from the several nations of the Indian Territory whose seats may be contested.

On motion, council adjourned until 2 o'clock p. m.

2 O'CLOCK P. M.

Council met pursuant to adjournment. Credentials presented by George W. Johnson from the Cherokee Nation, and was admitted to a seat.

The following delegates from the Cherokee Nation took their seats :

Moses Alberty, Ezekiel Proctor.

The following committee on credentials was appointed by the president :

C. P. H. Percy, Chickasaw Nation ; James Thompson, Choctaw Nation ; Francis King, Ottawa Nation ; J. A. Scales, Cherokee Nation ; J. F. Brown, Seminole Nation ; Keokuk, Sac and Fox Nation ; G. W. Walker, Muskokee Nation ; I. R. Moore, Muskokee Nation.

On motion, credentials of Locher Hayo, Charke, and Thlathlo Yoholo referred to the committee on credentials.

Committee on education and agriculture was called upon for a report. A part of the committee being absent, a report was deferred. Mr. Leflore, delegate from the Choctaw Nation, submitted the following resolution :

"Resolved by the general council of the Indian Territory, That the president be, and is hereby, authorized to appoint a committee of ten to devise a permanent organization of the Indian Territory, as contemplated in the treaties of 1866 with the several tribes resident in the said Indian Territory.

Adopted, and the following committee appointed :

Campbell Leflore, Choctaw Nation ; W. P. Ross, Cherokee Nation ; C. P. H. Percy, Chickasaw Nation ; G. W. Greyson, Muskokee Nation ; J. F. Brown, Seminole Nation ; Edward Black, Confederate Peorias, &c. ; Francis King, Ottawa Nation ; Augustus Captain, Osage Nation ; George Spicer, Seneca Nation ; J. A. Scales, Cherokee Nation.

Council adjourned until 9 o'clock a. m. to-morrow.

FRIDAY, December 9—9 o'clock a. m.

Council met pursuant to adjournment.

Preceding minutes read and adopted. Credentials presented and the following delegates admitted to seats :

From the Chickasaw Nation—Colbert Carter, Jackson Kemp.

Chairman of the committee on permanent organization, reported progress.

Committee on the judiciary asked the privilege of deferring a report until after the special committee on organization made a report, which was granted.

Colbert Carter, of the Chickasaw Nation, was placed upon the committee on permanent organization. J. A. Scalas, of the Cherokee Nation, was placed upon the committee on the judiciary, *vice* Clement N. Vann, resigned.

Mr. William P. Ross, delegate from the Cherokee Nation, informed the council that Henry Chambers had been appointed by the authorities of said nation to fill the place of C. N. Vann, resigned, and that the delegate was present, ready to take his seat, but without his credentials, which had not as yet reached him. On motion it was referred to the committee on credentials.

In order that the committee on permanent organization might have time to mature a report, the council adjourned until 9 o'clock a. m., to-morrow.

SATURDAY, December 10—9 o'clock a. m.

Council met pursuant to adjournment. Preceding minutes read and adopted. Committee on credentials submitted the following report :

We, the committee on credentials, appointed to examine into the credentials of Locher Hayo and Thlathlo Yoholo, submit the following report :

Upon examination of the credentials of the above-named gentlemen, we find that they are so defective and imperfect, and without the signature of any officer of the Muskokee Nation, authorized to commission members of the council, that we cannot recognize them as being sufficient to entitle the claimants to seats in the general council of the Indian Territory.

The credentials of Char-kee having been examined, we find that he has been substituted by Cot-cho-che, the former incumbent, to take his place on account of inability to discharge his duties as a member, caused by sickness. The substitution has been approved by the executive of the Muskokee Nation, as the credentials will show. Therefore we recommend that Char-kee be allowed to take his seat during the present session of the council, agreeably to the approval of the credentials.

In the case of Mr. Chambers, from the Cherokee Nation, the committee find, from

information deemed reliable, that Mr. Vann has resigned his seat in this council, and that Mr. Chambers has been appointed by the authority of that nation to fill the vacancy; and is, therefore, in the opinion of your committee, entitled to his seat in the general council of the Indian Territory.

JAMES THOMPSON,
Chairman Committee.

Attest:

CHAS. P. H. PERCY,
Clerk to Committee.

On motion the report of the committee on credentials was adopted, and Charke, of the Muskokee Nation, was admitted to a seat during the present session of the general council.

Henry Chambers admitted to a seat as a delegate from the Cherokee Nation in place of Clement N. Vann, resigned.

Joseph James, of the Chickasaw Nation, was placed upon the committee on education and agriculture. Colbert Carter, of the Chickasaw Nation, was placed upon the committee on the judiciary.

Report of the special committee on permanent organization.

The special committee to whom was assigned the duty of making a report upon the resolution of the general council in the words following, to wit:

Resolved, by the general council of the Indian Territory, That the President be, and is hereby, authorized to appoint a committee of ten to devise a permanent organization of the Indian Territory, as contemplated by the treaties of 1866 with the several tribes resident in the said Territory, respectfully state that they have given the subject such consideration as was in their power. They regard the organization of the Indian Territory under any form of government as of the gravest importance to all the people who inhabit it.

The large and invaluable interests in lands and money which belong to the nations and tribes who are settled therein, the provisions of their several treaties with the United States, their distinct forms of government and franchises arising under them, their different languages and diversified conditions, present severally and combined interests not to be too lightly estimated nor too hastily disposed of in arranging the terms of any organization that may be designed to blend in one harmonious system the whole of them at the same time that it preserves a just and impartial regard for their respective rights.

The opposition of all Indians to any form of territorial government that has been proposed by the Congress of the United States is too notorious to require any comment. It is firmly and ineradicably imbedded in their very nature. They cling to their homes, to their laws, to their customs, to their national and personal independence, with the tenacity of life itself. In these sentiments your committee fully concur; and while the leading powers invested in this general council pervade all the treaties negotiated in 1866 by the United States with the different nations here represented, each one of them grants some important concession or retains some important right not to be found in others. In some respects they merely shadow dimly the duties of this council instead of clearly defining its powers and authority. The responsibility of inexperienced legislators, instead of being simplified by them, is made more difficult and complex. As the best means of removing these obstacles, observing a fair deference to the sentiments of our people, and at the same time of preserving our race and of perpetuating unimpaired the rights of all, the weak and the strong, those less advanced and those who have made further progress toward civilization, your committee are of the opinion that the organization of the people here represented, and such as may hereafter unite with them, should be a government of their *own choice*.

It should be republican in form, with its powers clearly defined, and full guarantees given for all the powers, rights, and privileges, respectively, now reserved to them by their treaties. They therefore respectfully recommend that the council proceed to form a constitution for the Indian Territory, which shall conform to existing treaty stipulations; provide for an executive, legislative, and judicial department, and vested with such powers only as have been conceded to this general council and not inconsistent with all the rights reserved to each nation and tribe who were parties to the treaties of 1866, and also with the final provision that such constitution shall be obligatory and binding only upon such nations and tribes as may hereafter duly approve and adopt the same.

Council adjourned until 9 o'clock a. m., Monday.

MONDAY, December 12.

Council met pursuant to adjournment.

Credentials presented, and the following delegate was admitted to a seat:

Choctaw Nation.—Coleman Cole.

Minutes of the preceding meeting read and approved.

S. Ex. 26—2

Report of the special committee on permanent organization taken up.

On motion it was agreed that when a vote should be taken on the adoption of the report on permanent organization, the ayes and noes should be recorded.

The question being upon the adoption of the report of the special committee, the roll was called, with the following result:

Ayes: Cherokees: W. P. Ross, Keys, A. Ross, Sarcouxie, Brewer, Taylor, Scales, Vann; Muskokees: Stidham, Porter, Moore, L. C. Perryman, Gryson, J. M. Perryman, S. W. Perryman, Ok-tar-har-sars-Harjo, Charke, Barnard, Smith, Walker; King, of Ottawas; Flint, of Eastern Shawnees; Spicer, of Senecas; Wright, of Wyandotts; Black, of Confederated Peorias and others; Keokuk and Muttalah, of Sacs and Foxes; White and Ellis, of absentee Shawnees; A. Captain, Hardrope, Bevenne, Osages; Fus-hat-che Harjo, Brown, Seminoles; Leflore, McKinney, Fry, Ma-ha-tub-bee, Durant, Thompson, Folsom, Wright, Cole, of the Choctaws; Percy, James, Ho-piah-tub-bee, Carter, Kemp, of the Chickasaws—48 ayes.

Noes: Stealer, Alberty, Proctor, Chambers, and Johnson, of the Cherokees—5; and so the report was adopted.

On motion of Mr. Carter, of the Chickasaw Nation, the following committee of twelve was appointed to draft a constitution:

Committee: W. P. Ross, Cherokee Nation; Campbell Leflore, Choctaw Nation; Calbert Carter, Chickasaw Nation; John F. Brown, Seminole Nation; Francis King, Ottawa Nation; Joseph P. Folsom, Choctaw Nation; G. W. Johnson, Cherokee Nation; C. P. H. Percy, Chickasaw Nation; Ok-tar-har-sars-Harjo, G. W. Stidham, Muskokee Nation; Riley Keys, Cherokee Nation; Augustus Captain, Osage Nation.

Council adjourned to 2 o'clock p. m.

2 O'CLOCK P. M.

Council met pursuant to adjournment.

The following resolution was submitted by Mr. Smith, of the Muskokee Nation, and on motion of Mr. Ross, unanimously adopted:

Whereas the members of the general council of the Indian Territory have had the honor to receive Messrs. Campbell, Lang, and Farwell, of the United States Indian Commission, and to hear their views in regard to the general interest of the Indians in the Indian Territory and the expression of their sympathies for the welfare of all the red people; and whereas this general council is desirous of preserving upon the journal of their proceedings a record of this event in their history, and of their heartfelt appreciation of the noble sentiments of truth, justice, and humanity entertained by the commissioners: Therefore be it

Resolved, That the general council of the Indian Territory hereby record this declaration of the pleasure they have experienced from the attendance upon the council of Messrs. Campbell, Lang, and Farwell, of the United States Indian commission, of their grateful appreciation of the words of hope, cheer, and encouragement they have heard from them, and of their own desire to conform, as far as practicable, with the just and humane policy of the United States, the preservation of peace and kindness between the Indians of this Territory themselves and with the whites upon their border, and for the improvement and perpetuation of their own people and race.

The report of the committee on agriculture was submitted and adopted. (See Appendix A.)

The committee to whom the duty was assigned of reporting upon the agricultural interests and resources of the Indian Territory regret to say that they have no data upon which to estimate even approximately the quantity of land in cultivation within the limits of the Indian Territory.

The Creeks, Cherokees, Choctaws, Chickasaws, Seminoles, Shawnees, Delawares, Senecas, Quapaws, Ottawas, Wyandotts, and the Confederated Peorias, Weas, Piankeshaws, and Kaskaskias are an agricultural people, and rely upon the cultivation of the soil and the raising of stock for their livelihood, and the Sacs and Foxes, Osages, and others are making commendable progress in that direction. The extent of their farms vary from a few acres to two and three hundred, and in one instance, in the Chickasaw Nation, in the fertile valley of the Washita, to more than two thousand acres.

While there are many farms sufficiently large, the majority of them might be increased with great advantage. The interest in this respect is growing, and since the close of the war to the present time there is a marked progress in the general improvement in the buildings and farms among the Indian people.

In these respects there is wide room for further advancement, and this we confidently expect to witness whenever the constant agitations in Congress and elsewhere, which so much disturb the security of the people and discourage all their efforts to improvement, shall cease. But notwithstanding all adverse influences the condition of the people is not stationary, but progressive. The idea which obtains to a considerable extent, in even otherwise well-informed circles, remote from the homes of the Indians, that they live by hunting, fishing, and trapping is entirely erroneous so far as applied to the nations and tribes enumerated above. They are settled and not nomadic in their habits,

and rely upon the cultivation of the soil for their subsistence. Their advancement is not all that we could desire, but it is an earnest of better things in the future, and shows a susceptibility for further improvement, and with proper efforts the native ability to reach a genuine civilization. A large area of the inhabited portion of the Indian Territory is well adapted to the use of improved agricultural implements. Their introduction as yet is limited, but perhaps equal to what should be expected when it is borne in mind how much men are apt to do as their fathers did before them, as their neighbors do around them, and as the limited means at their disposal allowed. Reapers, mowers, and threshers of different patents are seen in some places, while improved plows for turning prairie lands and working crops are found in large numbers. We would desire to impress the people of the Territory engaged in agriculture with the importance of giving more attention to this subject than is now done. Good implements, well and timely used, lighten the burdens of labor, impart a real pleasure to employment, and largely increase its results. They relieve both man and beast and directly increase the value of time by increasing its results. The crops which can be profitably grown in the soil and climate of the Territory are very nearly all those adapted to a rich soil and temperate latitude. Corn is the staple crop, and even under our somewhat defective plan of culture yields upon an average from thirty to sixty bushels per acre. In favorable seasons it does well in all portions of the Territory. Wheat is not so generally grown as it should be, chiefly, we apprehend, because of the scarcity of mills for the manufacture of flour. The Cherokees perhaps grow more than any nation in the Territory; the average yield is about fifteen bushels—it has been known to yield as high as forty-two. But few farmers there, however, prepare the soil and seed it down with the care the crop demands. South of the Canadian, and on the Arkansas and Red Rivers, and the uplands intervening, cotton was formerly extensively cultivated, and was the most valuable crop of that region. We hope yet to see it again whitening large and well-tilled fields and bringing in treasure and wealth to our brothers of the Choctaw and Chickasaw Nations. The Chickasaw crop this year being estimated at 5,000 bales, tobacco is extensively grown. Of the grasses we need say but a word. Our prairies furnish all that is now to be had, and all that seems to be cared for; clover and timothy do well, and would even now repay their cultivation; blue grass also succeeds well, and will be as much at home in some portions of the Territory as it is in Kentucky. Rye and oats do well all over the territory, so far as your committee are advised, a species of the former being indigenous to the soil and affording excellent winter pasturage. Potatoes, beans, beets, pumpkins, upland rice, turnips, cabbage, onions, and nearly all garden vegetables in suitable soil and with reasonable culture, grow to perfection. In horticulture, with some exceptions, we are lamentably behind the times. So far as tested, no finer apples are grown in the United States than some we have seen from orchards in the Indian Territory. North of the Canadian and Arkansas Rivers, peaches, pears, plums, and cherries succeed, while the smaller fruits, such as strawberries, raspberries, blackberries, and grapes are to the "manor born." Your committee would be much gratified to be the means of awakening a general interest upon this subject, and stirring up the people more generally to the cultivation of the more desirable kinds of fruits. There is pleasure in the pursuit, and health and profit in the results of horticulture.

As regards the domestic animals of the Territory, we need scarcely remark that stock raising must furnish occupation for a large number of our people. It is adapted to their habits and to our climate, and will be the source of the largest profit to those who embark in it. The number of domestic animals, and the quality of their breeds, have been sadly reduced and deteriorated by the war. Large and magnificent herds of cattle have entirely disappeared from our prairies, and the accumulations of forty years vanished into nothingness. But the grass still grows and the waters run, inviting and urging our people to untiring efforts to renew their herds of cattle, horses, and hogs, and flocks of sheep and goats. Money, food, and raiment stimulate them to start again in pastoral life, and to get the best improved breeds of all kinds of stock that may be within their means.

In conclusion, your committee beg leave to say that as agriculture and its kindred branches, horticulture and stock-raising should and must constitute the chief pursuits of the great majority of our people, every means in our power should be adopted to foster and encourage them. Even now they have every inducement to increased care and exertions in those directions. Markets are now brought to our very doors, or soon will be by the extension of railroads, the increase of travel through our Territory, and the teeming population that moves with resistless activity around our borders. Everything that we can produce beyond our own consumption is and will continue to be in demand. The country which we possess, the homes we occupy, are our own and the heritage of our children by every right known and respected of men. Let us diligently improve and use them, remembering our own responsibility in the premises, and the duty we owe to those who may come after us. Even the log cabin is more stable than the lodge set up with poles and covered with straw and buffalo hides. The people who have homes and cultivated fields and orchards are more secure from

intrusion and aggression than those who have no fixed residence or abiding place. Here is our only home, and in it we must thrive and increase or dwindle and perish. Either result is largely within our own control. As we choose to have it, so will it be.

On motion the report was adopted.

Mr. Brown, of the Seminole Nation, submitted the following additional rules for the government of the council in the order and transaction of business, which was read and referred to the committee on rules, (said rules not reported:)

RULE 11. In the formation of committees, to facilitate the business of the general council, no member at one and the same time shall be attached to more than three committees without his consent.

RULE 12. Whenever it may be practicable, after calling the roll some minister of the Gospel, or member of the council, shall, at the request of the president, offer up morning prayers.

On motion, council adjourned until 9 o'clock a. m. to-morrow.

TUESDAY, December 13—9 o'clock a. m.

Council met pursuant to adjournment.

Mr. E. J. Brown, delegate from the Seminole Nation, admitted to a seat. Preceding minutes read and approved. The president introduced the Hon. Eli S. Parker, Commissioner of Indian Affairs, who delivered an address setting forth his views as to the wishes and expectations of the Government of the United States, and of the friends of the Indians throughout the same, from this general council of the Indian Territory, with suggestions as to the best mode of legislation to meet those expectations; and also words of cheer and encouragement in this great and important undertaking. On motion, council adjourned until 2 o'clock p. m.

2 O'CLOCK P. M.

Council met pursuant to adjournment.

On motion of Mr. W. P. Ross, the committee of twelve for drafting a constitution for the government of the Indian Territory retired from the council for the purpose of entering upon its duties, and was instructed to report at as early an hour as practicable. Committee on education was granted leave to retire to mature its report.

On motion council adjourned until 9 o'clock a. m. to-morrow.

WEDNESDAY, December 14.

Council met pursuant to adjournment.

Preceding minutes read and adopted. On motion Mr. Scales, delegate from the Cherokee Nation, submitted a resolution relating to the tribes of the Plains. Referred to the committee on international relations. The superintendent read the commission assigning to duty G. W. Greyson as secretary of the general council of the Territory. On motion of Mr. Porter, of the Muskokee Nation, the following resolution was unanimously adopted:

Be it resolved, That the thanks of the general council of the Indian Territory be, and are hereby, tendered to J. G. Vore, for the able and efficient manner in which he has conducted the duties of the office of secretary of the council, and that the president of the council be instructed to compensate him for his services.

On motion of Mr. Folsom, of the Choctaw Nation, the council adjourned to meet at 9 o'clock to-morrow morning.

THURSDAY, December 15—9 o'clock a. m.

Prayer by Mr. Mucan.

Mr. William P. Ross, of the Cherokee Nation, announced that there were present two delegates from the Cherokee Nation who would present their credentials.

Whereupon Mr. J. W. Adair and Joseph Thompson presented their credentials and were admitted to seats.

Credentials were also presented by two additional members from the Muskokee Nation, namely, Martup Yohalar in the place of G. W. Greyson, resigned, and David M. Hodge in place of D. N. M. Jutash, absent.

Minutes of the preceding day were read and adopted.

S. W. Peyman, of the Creek Nation, introduced a resolution providing for a committee of thirty-one persons whose duty it will be to revise and rearrange the minutes and proceedings of the council preparatory to printing and publishing the same.

Mr. Moore, of the same nation, moved to amend the resolution so as to provide for the reading of the same before the adjournment of the present council.

Resolution as amended was adopted.

Resolution read as follows, viz:

Resolved, That the president be authorized to appoint a committee of three persons to revise and prepare for publication the journal of the proceedings of this general council, to be read in presence of the council before its adjournment.

President announced as members of the committee on revision, Allen Ross, of the Cherokee Nation; G. W. Walker, of the Muskokee Nation; E. J. Brown, of the Seminole Nation.

By request of Mr. Moore, of the Muskokee Nation, Mr. James Thompson, of the Choctaw Nation, was added to the committee on international relations.

On motion of J. M. Penyan, of the Muskokee Nation, the council adjourned to meet again at 2 o'clock p. m.

2 O'CLOCK P. M.

President announced the house in order for business.

The president added to the committee on revision Mr. Joseph Thompson, of the Cherokee Nation.

Allen Ross, of the Cherokee Nation, chairman of the committee on international relations, submitted the report of that committee, in the form of a resolution tendering to the wild tribes of the Plains the hand of friendship, and recommending to them the prudence of refraining from acts of hostility among themselves, as well as against the citizens of the United States.

The president highly recommended the spirit of the report, and expressed a desire that every effort will be made to better the condition of the tribes of the Plains, as well as all other Indians.

On motion of J. A. Scales, of the Cherokee Nation, the report was unanimously adopted.

Your committee, to whom was referred the resolution in regard to the various tribes of the Plains, respectfully state that they have carefully considered said subject, and beg leave to submit the following resolution, and recommend that it be adopted by the general council:

Resolution in relation to the tribes of the Plains.

Resolved by the general council of the Indian Territory, That the superintendent of Indian affairs be, and he is hereby, requested to convey, through their respective agents or otherwise, to the Comanches, Kiowas, Cheyennes, Arapahoes, and other tribes of the Plains, the fact that the Choctaws, Chickasaws, Cherokees, Muskokees, Seminoles, Osages, Senecas, Shawnees, Ottawas, Peorias, Wyandotts, Quapaws, and Sacs and Foxes have met in general council and confederated; that the object of this confederation is to preserve peace and friendship among themselves, with all other red men, and with the people of the United States; to promote the general welfare of all Indians, and to establish friendly relations with them; to secure our lands exclusively to ourselves and to transmit them to our children after us; that the nations above named extend to them the hand of friendship; that they earnestly recommend them to refrain from acts of hostility among themselves and with the people of the United States, and that we offer them our aid and counsel in establishing permanently friendly relations with the Government of the same, and will meet them in council whenever practicable and desired by the superintendent of Indian affairs.

On motion of Porter, of the Muskokee Nation, council adjourned to meet at 9 o'clock to-morrow.

DECEMBER 16, 1870—9 o'clock.

Council met pursuant to adjournment. Minutes of the preceding day read and adopted.

Robert Lumbard, as a delegate from the Quapaw Nation, in place of George Lane, presented his credentials and was admitted to a seat in the council.

James M. C. Smith, chairman of the committee on education, submitted the report of that committee, which was read and referred back to the committee for correction. On motion of J. R. Moore, council adjourned to meet at 1 o'clock p. m.

1 O'CLOCK P. M.

President announced that the committee on the constitution had reported only a portion of its work, which was taken up, read twice, and interpreted. The report of the committee on education was received as corrected, read, and interpreted, which, on motion of J. M. C. Smith, was laid on the table, and the report of the committee on the constitution was taken up, read, and interpreted. Council adjourned to meet at 9 o'clock to-morrow morning.

SATURDAY, December 17, 1870.

Council met pursuant to adjournment. Roll was called. Another portion of the report of the committee on the constitution was read and interpreted.

Smith, of the Muskokee Nation, moved to adjourn until Monday morning, 9 o'clock a. m. Motion sustained.

The report of the committee on the populations and educational interests of the several nations represented in the general council, was read and adopted, for which see Appendix C.

DECEMBER 19, 1870.

Council convened at 9 o'clock pursuant to adjournment. The roll was called by the secretary.

Mr. Ross, of Cherokees, introduced the following resolution, which was adopted:

Resolved, That the president of the general council be respectfully requested to allow the mileage of those members, for the distance they traveled in going to and returning from the regular session of the council in September last, but who failed to reach it before its adjournment until December.

By order of the president the entire constitution, as drafted by the committee, was read a second time and interpreted.

The committee on education submitted a revised copy of their report of the day previous, which was read and adopted. Report.

- On motion C. Lafore, the council adjourned to meet again at 2 o'clock.

2 O'CLOCK P. M.

Council met pursuant to adjournment, and the roll was called by the secretary.

W. P. Ross, of the Cherokees, introduced an invitation from the Cherokee council, requesting the location of the capital at Fort Gibson. Motion by Mr. Ross to lay the same on the table. Motion adopted.

Constitution as draughted was put upon its third reading.

Section 6 of the declaration of rights amended by Percy by inserting after the word "jury" the words "of the district wherein the crime shall have been committed." Amendment adopted. Mr. Ross moved to amend the 2d section of the 3d article, by inserting after the last word the words "and for the Sacs and Foxes one senator." Adopted.

Mr. Percy, of Chickasaw Nation, moved to strike out the whole section 2 of article 3, and insert: "The senate shall be composed of one member from each nation adopting this constitution." The ayes and nays were called for by George W. Johnson, of the Cherokee Nation. Rejected, nays 48, ayes 8.

George W. Johnson moved to amend by inserting in the 3d section of the 4th article the words: "and who shall not be a natural born citizen of the Indian Territory." Lafore moved to insert as a part of section 11 of article 4, the clause: All commissions shall be "In the name and by the authority of the Indian Territory, and be sealed with the seal, and signed by the governor and attested by the secretary of the Territory." This clause was adopted.

Mr. Johnson, of the Cherokee Nation, moved to amend the schedule by inserting: "Provided that this constitution shall be obligatory and binding only upon such nations and tribes as may hereafter duly approve and adopt the same. Amendment adopted.

Council adjourned to meet at 9 o'clock to-morrow.

DECEMBER 20, 1870.

Council met pursuant to adjournment. Roll called; minutes read and adopted. Mr. Ross, of the Cherokee Nation, moved to transpose the last clause of the 3d section of the 5th article, and make it the concluding clause of the 2st section of the same article. Adopted.

C. Lafore submitted an additional section as section 17th to the 3d article of the constitution, as follows: The salaries of all officers created under this constitution, not otherwise provided, shall be regulated by law, but there shall be no increase or diminution in the same during the term for which said officers may have been elected or appointed. Adopted.

Mr. J. Thompson, of the Choctaws, moved to amend the schedule by inserting after the word *councils*, in the 8th line, the words *or the people*. Adopted.

Lafore moved to amend section 9 of article 4, by inserting "and fines" after the words *respite*s.

Mr. Johnson, of the Cherokee Nation, submitted resolutions providing for the submitting of the constitution to the several nations, without taking a vote on the same at the present time, as an amendment to the schedule resolution.

Mr. Scales moved to lay on the table. Motion prevailed. Mr. Ross called for the ayes and noes, when the vote stood as follows:

PRO. W. P. Ross, R. Keys, A. Ross, J. Sarcoxie, O. H. P. Brewer, S. M. Taylor, J. A. Scales, Stealer, Moses Alberty, J. Vann, G. W. Johnson, J. Thompson, J. W. Adair, G. W. Stidham, P. Porter, J. R. Moore, L. C. Perryman, J. M. Perryman, Oc-lar-har-saw Harjo Charke, T. Barnett, J. M. C. Smith, G. W. Walker, Martup Yohola, D. M. Hodge, C. Lafore, J. McKinney, Wm. Fry, Ma-ha-tub-bee, A. R. Durant, J. Thompson, J. P. Fulson, Alfred Wright, Colman Cole, Hapiah-tubbee, C. Carter, J. Kemp, F. King, L. Flint, R. Lumbard, Geo. Spicer, Geo. Wright, Ed. Black, Keokuk, John White, J. Ellis, A. Captain, S. Bevenne, Hard-Rope, Wah-to-ink-a, Fushutche Harjo, E. J. Brown, Con E. Proctor, H. Chambers, S. W. Perryman—Ayes, 52. Nays, 3.

Constitution was declared adopted. Appendix B.

O. H. P. Brewer, of the Cherokees, submitted resolutions providing for the sending of delegates to the seat of the United States Government.

On motion of J. Thompson, of the Cherokee Nation, council adjourned until 2 o'clock p. m.

2 O'CLOCK P. M.

Council met pursuant to adjournment.

The following resolutions were unanimously adopted :

1. *Resolved*, That the general council adjourn this day, December 20, at 3 o'clock p. m., to meet on the first Monday in June next, at Ocmulgee, Creek Nation.

2. On motion of Mr. Ross, of the Cherokee Nation,

Resolved, That we tender to the president our thanks for the impartial and dignified manner in which he has presided over the sittings of the general council.

3. On motion of Mr. Porter, of the Creek Nation,

Resolved, That we tender our thanks to Edward Earle, Dr. Nicholson, and Thomas Miller for their kind attention and advice during the sessions of the general council.

4. On motion of C. Laffore the council adjourned, to meet at Ocmulgee, Creek Nation, on the first Monday in June, 1871.

ENOCH HOAG,
Superintendent Indian Affairs, President.
G. W. GRAYSON,
Secretary.